

REMARKS

Claims 1-13 are pending in this application. By this Amendment, claims 1 and 4 are amended. Reconsideration based on the above amendments and following remarks is respectfully requested.

I. The claims define patentable subject matter

Claims 1-13 are rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,057,975 to Yaeger et al. This rejection is respectfully traversed.

The applied art does not disclose holding the flexible member with an angular position modifying unit and applying a bend to the flexible member using the modifying unit and irradiating a laser beam onto the member where the bend is applied, as claimed in claim 1 and similarly as claimed in claim 4.

Instead, Yaeger discloses a fly height adjustment magnetic storage system. In Figure 3, a laser beam 42 generated by laser 44 is directed toward flexure arm 26 using mirror 46. The flexure arm 26 can be bent toward a desired angle by applying laser 42. Thus, the flexure arm 26 can be heated such that slider 28 moves away from or towards the surface of disk 12.

As such, there is no teaching, disclosure or even suggestion of an angular position modifying unit holding the flexible member and applying a bend and irradiating a laser beam onto the bent area of the flexible member.

For at least the reasons set forth above, claims 1 and 4 are distinguishable over the applied art. Claims 2-3 and 5-13, which depend from claims 1 and 4, are allowable for at least the reasons discussed above as well as for the additional features they recite.

Withdrawal of rejection of claims 1-13 under §102(e) as anticipated by Yaeger is respectfully requested.

II. CONCLUSION

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-13 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Kevin M. McKinley
Registration No. 43,794

JAO:KMM/tbh

Date: November 12, 2003

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE
AUTHORIZATION**
Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461